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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,586	07/01/2003	Keisuke Hirai	1232-5072	6227

27123 7590 03/01/2007  
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NEW YORK, NY 10281-2101

EXAMINER
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HANNETT, JAMES M

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/01/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/612,586

Applicant(s)

HIRAI, KEISUKE

Examiner

James M. Hannett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 10 is/are rejected.
- 7) ☒ Claim(s) 7-9 and 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/5/2004.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 4/5/2004 has been considered by the examiner.

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Camera with adjustable auto-focus detection area.\

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**1:** Claims 1-6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN

6,278,489 B1 Hirasawa.

**2:** As for Claim 1, Hirasawa depicts in Figures (4, 15 and 16) and teaches on Column 6, Lines 5-38 and Column 8, Lines 10-46 an optical apparatus comprising an optical system which includes a focus lens (103) and forms an object image; an image-pickup device (104) which receives the object image formed by the optical system and photo-electrically converts the object image; a focusing state calculating circuit (110,111,113,114) which derives information indicating a focusing state of the optical system based on an output signal from an image-pickup area which corresponds to part of the image-pickup device (104); a storage circuit (112) which

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stores a position of the image-pickup area in the image-pickup device (104); and a setting system (100 and 111) which moves the image-pickup area, stores a position of the image-pickup area in the storage circuit (112), and sets an image-pickup area which has been stored in the storage circuit (112) as the image-pickup area in performing focus adjustment control (113).

3: In regards to Claim 2, Hirasawa depicts in Figures (4 and 15) and teaches on Column 7, Lines 52-65 wherein the setting system (100 and 111), comprises: a first switch which is operated to instruct the image-pickup area (1504) in the image-pickup device (104) to be moved; a second switch which is operated to instruct a position of the image-pickup area (1504) to be stored in the storage circuit Column 8, Lines (38-47). Hirasawa teaches a third switch which is operated to instruct the image-pickup area (1504) to be switched Column 8, Lines 4-65.

Hirasawa teaches that the focus detection area can be changed, selected and stored in memory.

These processes are switching processes. Therefore, it is inherent that the processes involve switches. Hirasawa teaches a control circuit (111) which performs focus adjustment control (114) by driving (113) the focus lens (103) based on the information derived by the focusing state calculating circuit (110 and 111) and is electrically connected to the first switch (means for moving the detection area 112), the second switch (means for storing the detection area location), and the third switch (means for changing the detection area) to operate in accordance with a state of each of the switches, wherein the control circuit (110 and 111) moves the image-pickup area (detection area) in response to operation of the first switch (means for moving the detection area 112), the control circuit (111 and 110) stores, in response to operation of the second switch, (means for storing the detection area location) a position of the image-pickup area selected at the time of that operation in the storage circuit (Column 8, Lines 38-55) and the control circuit (111

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and 110) sets an image-pickup area (detection area) which has been stored in the storage circuit as the image-pickup area (detection area) in accordance with a state of the third switch (means for changing the detection area) in performing the focus adjustment control (114).

4: As for Claim 3, Hirasawa teaches on Column 10, Lines 22-58 the control circuit (110 and 111) assigns, in response to operation of the second switch (storing the detection area location), a position of the image-pickup area (detection area) selected at the time of the operation to a state of the third switch (changing the detection area) and stores that position (new position) in the storage circuit, and in accordance with a state of the third switch (changing of the detection area), the control circuit (111 and 110) sets an image-pickup area (detection area) assigned to that state and stored in the storage circuit as the image-pickup area in performing the focus adjustment control.

5: In regards to Claim 4, Hirasawa teaches on Column 10, Lines 22-58 the control circuit 110 and 111) assigns, in response to operation of the second switch (a method of storing the detection area location), a position of the image-pickup area selected at the time of that operation to a state of the third switch at that time and stores that position in the storage circuit. Hirasawa teaches the detection area can be moved and the new location is stored in memory and is compared with the location of a future detection area.

6: As for Claim 5, Hirasawa teaches on Column 9, Lines 55-67 and Column 10, Lines 1-58 the AF microcomputer (111) sets the AF detection area prior to a command to move the detection area location. Furthermore, this areas location is stored in memory prior to a command to change the locations position. This is viewed by the examiner as the control circuit sets an image-pickup area assigned to a non-operated state of the third switch and stored in the storage

circuit as the image-pickup area when the third switch is not operated. Hirasawa further teaches that when a command to move the detection area occurs the new detection areas coordinates are stored in memory. This is viewed by the examiner as setting an image-pickup area assigned to an operated state of the third switch and stored in the storage circuit as the image-pickup area when the third switch is operated, in performing the focus adjustment control.

7: In regards to Claim 6, Hirasawa teaches on Column 9, Lines 55-58 and on Column 8, Lines 65-67 setting an initial position of the focus detection area. This setting operation involves a switching operation which is viewed by the examiner as the fourth switch. This is viewed by the examiner as a fourth switch which is electrically connected to the control circuit and operated to instruct an initial position of the image-pickup area to be stored in the storage circuit.

Hirasawa teaches on Column 9, Lines 18-67 wherein the control circuit stores, in response to operation of the fourth switch (setting the initial coordinates), a position of the image-pickup area (AF detection area) selected at the time of that operation as the initial position in the storage circuit, and at the time of power-on (initialization) of the optical apparatus, the control circuit (111 and 110) sets an image-pickup area (AF detection area) stored as the initial position in the storage circuit as the image-pickup area.

8: In regards to Claim 10, Hirasawa teaches on Column 9, Lines 55-67 and Column 10, Lines 1-58 the AF microcomputer (111) sets the AF detection area prior to a command to move the detection area location. Furthermore, this areas location is stored in memory prior to a command to change the locations position. This is viewed by the examiner as the control circuit sets an image-pickup area assigned to a non-operated state of the third switch and stored in the storage circuit as the image-pickup area when the third switch is not operated. Hirasawa further

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teaches that when a command to move the detection area occurs the new detection areas coordinates are stored in memory. This is viewed by the examiner as setting an image-pickup area assigned to an operated state of the third switch and stored in the storage circuit as the image-pickup area when the third switch is operated, in performing the focus adjustment control.

***Allowable Subject Matter***

9: Claims 7-9 and 11 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 6,246,437 Kaneda teaches an imager with a settable focus detection region; USPN 6,088,060 Suda et al teaches an auto-focus camera; USPN 5,187,585 teaches a camera with a settable focus detection area; USPN 6,812,968 Kermani teaches a camera with a configurable focus area.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309.

The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett  
Examiner  
Art Unit 2622



JMH  
February 27, 2007